

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MICROSOFT CORPORATION,

Plaintiff,

v.

ALCATEL-LUCENT,

Defendant.

C.A. No. 07- 90

**AFFIDAVIT OF SERVICE OF PROCESS OF
THOMAS L. HALKOWSKI
PURSUANT TO 10 DEL. C. § 3104 AND L.R. 4.1(b)**

STATE OF DELAWARE

)

)

NEW CASTLE COUNTY

)

SS.

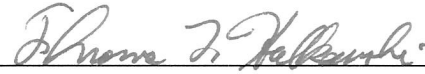
Thomas L. Halkowski, being duly sworn according to law, deposes and says as follows:

1. I am plaintiff's counsel of record in this action.
2. Pursuant to 10 Del. C. §3104 and Local Rule 4.1(b), this Affidavit is being submitted regarding service of process on the defendant, Alcatel-Lucent ("Defendant").
3. The Defendant is a non-resident of the State of Delaware and is presently located at 600 Mountain Avenue, Murray Hill, NJ 07974.
4. On February 28, 2007, I caused to be mailed to the Defendant, by registered mail, return receipt, a notice letter, a copy of which is attached hereto as Exhibit A and made a part hereof, together with copies of the Summons and Complaint as served upon the Secretary of State of Delaware. The notice letter and copies of the Summons and Complaint were contained in the same envelope at the time of its mailing on February 28, 2007.

5. Subsequently, I learned that the letter sent via registered mail to the Defendant on February 28, 2007 was delivered on March 5, 2007 and was accepted on behalf of Alcatel-Lucent by an individual who's name appears to be HMLiny. Documentation evidencing delivery is attached hereto as Exhibit B. I received documentation on March 9, 2007 from the United States Postal Service.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at Wilmington, Delaware this 15th day of March, 2007.

FISH & RICHARDSON P.C.

By: 
Thomas L. Halkowski (#4099)
919 N. Market Street, Suite 1100
PO Box 1114
Wilmington, DE 19899-1114
Telephone: (302) 652-5070

Attorneys for Plaintiff
Microsoft Corporation

Exhibit A

FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

Suite 1100
919 N. Market Street
P.O. Box 1114
Wilmington, Delaware
19899-1114

Telephone
302 652-5070

Facsimile
302 652-0607

Web Site
www.fr.com

February 28, 2007

VIA REGISTERED MAIL
RETURN RECEIPT REQUESTED RA 187 584 583 US

Alcatel-Lucent
600 Mountain Avenue
Murray Hill, NJ 07974



Re: *Microsoft Corporation v. Alcatel-Lucent*
USDC-DE – C.A. No. 07-90

ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Sir or Madam:

Enclosed are copies of the Summons, Complaint and Notice of Availability of Magistrate Judge in the above-captioned matter. This will serve as notice that service of the originals of such process has been made upon the Delaware Secretary of State on February 26, 2007, and that under 10 Del. C. §3104, such service is as effectual to all intents and purposes as if it had been made upon Alcatel-Lucent, personally within this State.

Very truly yours,

Thomas L. Halkowski

TLH/jlp

Enclosures

80042271.doc

Exhibit B

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alcatel-Lucent
600 Mountain Avenue
Murray Hill, NJ 07974

2. Article Number (Copy from service label)

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

3/5/07

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☒ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

RA 187 584 583 US

Domestic Return Receipt

102595-00-M-0952